JAMERSON C. ALLEN (State Bar No. 132866) 1 CARA CHING-SENAHA (State Bar No. 200467) 2 JACKSON LEWIS LLP 199 Fremont Street, 10th Floor San Francisco, California 94105 3 Telephone: (415) 394-9400 4 Facsimile: (415) 394-9401 5 Attorneys for Defendant WW WHARF GL, INC. 6 (erroneously sued as WW LODGING, INC.) 7 8 UNITED STATES DISTRICT COURT 9 NORTHERN DISTIRCT OF CALIFORNIA 10 Case No. C 06 4224 SI GYPSIE JONES, 11 Plaintiff, STIPULATION OF DISMISSAL WITH 12 PREJUDICE AND (PROPOSED) **ORDER** ٧. 13 WW LODGING, INC., a Delaware corporation, 14 dba RADISSON FISHERMAN'S WHARF HOTEL, BLOCK 14 ASSOCIATES, and DOES 15 ONE to FIFTY, inclusive, 16 Defendants. 17 18 Plaintiff GYPSIE JONES and Defendants WW WHARF FL, INC., erroneously sued as 19 WW LODGING, INC., dba RADDISON FISHERMAN'S WHARF HOTEL, BLOCK 14 20 ASSOCIATES) (collectively "the Parties"), by and through their respective attorneys of record 21 hereby stipulate as follows: 22 The Parties have entered into a Confidential Settlement Agreement and General 1. 23 Release in this matter whereby they have resolved all claims and agreed to the dismissal of the 24 above-captioned action with prejudice, each party to bear their own attorney fees and costs. 25 /// 26 /// 27 /// 28

STIPULATION OF DISMISSAL WITH PREJUDICE AND ORDER

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| 1 | 2. Accordingly, the Parties jointly request the Court to dismiss this action with |
| 2 | prejudice. |
| 3 | Dated: November 9, 2006 JACKSON LEWIS LLP |
| 4 | |
| 5 | By: |
| 6 | Japlerson C. Allen Attorneys for Defendant |
| 7 | WW WHARF GL, INC. |
| 8 | Dated: November 1, 2006 SINGLETON AW GROUP |
| 9 | |
| 10 | By: Jason K. Singleton |
| 11 | Righard E. Grabowksi Artorneys for Plaintiff |
| 12 13 | YPSIÉ JONES |
| 14 | Lien Claimant WILD OATS MARKET, INC., through its undersigned attorney, consents |
| 15 | to dismissal with prejudice. |
| 16 | |
| 17 | Dated: November, 2006 DLA Piper LLP |
| 18 | |
| 19 | By: Omy Be Malliel Amy Beckstead |
| 20 | Attorneys for WILD OATS MARKETS |
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ORDER OF DISMISSAL WITH PREJUDICE Having considered the parties' Stipulation of Dismissal with Prejudice and for good cause appearing, it is hereby ORDERED: The action JONES v. WW LODGING, et al., Case Number C-06-4224 SI, is 1. dismissed with prejudice with each party to bear their own attorneys' fees and costs. Dated: November , 2006 Judge of the United States District Court